

Monte J. White & Associates, PC
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Kelly Ann Armstrong

§ CASE NO. 12-10305-RLJ-13

§

§ HEARING DATE: 10/28/2013

DEBTOR(S)

§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 09/30/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 10/23/2012
2. Date of Section 341 Meeting: 12/4/2012
3. First Payment Date: 11/22/2012
4. Date of Confirmation: 1/10/2013
5. Total Plan Term Prior to this Modification: 60
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 11
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 49
8. Amount of Arrears through the month prior to the date the Modification is filed: \$1,145.00
9. Date plan payments are to resume: 10/22/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$6,038.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$6,530.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$1,145.00 (includes arrears through September)

13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:
TRCC 8/21/2013

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

 x DECREASE monthly payment from \$653.00 per month to \$406.00 per month
 (must coincide with resume date shown in item 9 above)

Any arrears indicated in item 8 above shall be cured by the following method: Debtor proposes to pay arrears of \$1,145.00 through September of 2013 by making an additional payment of \$24.00 per month for the remaining 49 months of the plan.

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$406.00 will resume on or before 10/22/2013 for 49 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$39,180.00 to \$27,108.00

If the base amount has changed complete the following:

- | | |
|---|--------------------|
| 1. Total paid in as of the month prior to Modification Approval: | \$ 6,038.00 |
| 2. (+) Plus Total Payments to be made through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$19,894.00 |
| 3. (+) Plus 49 additional payments of \$24.00 each to cure plan arrears of \$1,145.00 through 9/2013. | \$ 1,176.00 |
| 3. (=) New Base Amount | <u>\$27,108.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO
CodeName Class Amount Collateral Value Interest Treatment

OR

x Check here if no changes are to be made to creditors.

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee.

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtor's income and expenses have changed and Debtor wishes to modify plan payment and cure plan arrears through September 2013. Debtor will make total payments to the Trustee of \$430.00 per month for the remaining 49 months of the plan.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

See Amended Schedules I & J on file with the Court.

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation has been served by me on 09/30/2013, on all parties on the attached matrix, by ECF and/or United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-1
Case 12-10305-rlj13
Northern District of Texas
Abilene
Mon Sep 30 13:32:43 CDT 2013

Eastland City
Lee Gordon
P O Box 1269
Round Rock, TX 78680-1269

Eastland County
Lee Gordon
P O Box 1269
Round Rock, TX 78680-1269

Eastland ISD
Lee Gordon
P O Box 1269
Round Rock, TX 78680-1269

Recovery Management Systems Corporation
25 SE 2nd Ave. Ste. 1120
Miami, FL 33131-1605

United States Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-0996

306 Federal Building
1205 Texas Avenue
Lubbock, TX 79401-4037

AT&T Mobility II LLC
% AT&T Services, Inc
James Grudus, Esq.
One AT&T Way, Room 3A218
Bedminster, NJ 07921-2693

Abilene Dermatology and Skin Surgery Center,
3190 Antilley Road
Abilene, TX 79606-5015

Ace Cash Express
3429 Ambler Ave
Eastland, TX 79602

Acs-bank Of America
501 Bleecker St
Utica, NY 13501-2401

Acs-panhandle Plains
501 Bleecker St
Utica, NY 13501-2401

Advance Amercia
2202 W. Washington St.
Stephenville, TX 76401-3804

American InfoSource LP as agent for
Verizon
PO Box 248838
Oklahoma City, OK 73124-8838

Asset Acceptance LLC
Po Box 2036
Warren MI 48090-2036

At & T
P.O. Box 930170
Dallas, Tx 75393-0170

Austin Finance Company
1110 W Walker St
Breckenridge, TX 76424-3341

Bank of America
4601 S. 14th St.
Abilene, TX 79605-4734

Big Country Plumbing
601 W. 18th St.
Cisco, TX 76437-4757

Cavalry Portfolio Services
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595-2322

Cbe Group
1309 Technology Pkwy
Cedar Falls, IA 50613-6976

ChecknGo
1405 E. Main St. No. 150
Eastland, TX 76448-3051

Columbia House
P.O. Box 1131
Terre Haute, IN 47811

Complete Credit Soluti
2921 Brown Trail Suite 100
Bedford, TX 76021-4174

Cottonwood Financial Texas, LP
1901 Gateway Drive
Suite 200
Irving, TX 75038-2425

Credit Collections I
2601 NW Expressway Suite 1000E
Oklahoma City, OK 73112-7238

Credit Collections Srv.
PO Box 9134
Needham, MA 02494-9134

Credit Protection Associates
Attn: Bankruptcy
PO Box 802068
Dallas, TX 75380-2068

DENOVUS CORPORATION LTD
c o Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Dakota State Bank
PO Box 4477
Beaverton, OR 97076-4401

Dr Craig Urban
c/o West Central Texas Collection Bureau
PO Box 2586
Abilene, TX 79604-2586

Dr. Craig Urban
3190 Antilley Rd.
Abilene, TX 79606-5015

Dr Credit Co
PO Box 29018
Phoenix, AZ 85038-9018

EZ Money
3202 N. First St. No. F
Abilene, TX 79603-7039

Eastland County Appraisal District
P.O. Box 914
Eastland, TX 76448-0914

Eastland Memorial Hospital
304 South Daugherty St.
Eastland, TX 76448-2609

Enhanced Recovery Corp
Attention: Client Services
8014 Bayberry Rd
Jacksonville, FL 32256-7412

Eos Cca
700 Longwater Dr
Norwell, MA 02061-1624

First Financial Asset Management Inc
PO Box 6887
Miramar Beach, FL 32550-1006

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

Frontier Motors
4601 N First Street
Abilene, TX 79603-6540

Internal Revenue Service
1100 Commerce
MC 5029 DAL
Dallas, TX 75242-1100

(p) INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Jefferson Capital
16 McLeland Rd
Saint Cloud, MN 56303-2198

Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Kelly Ann Armstrong
506 S. Daugherty
Eastland, TX 76448-2613

Kevin D. Clardy DDS
2900 Coggin Ave
Brownwood, TX 76801-5331

LVNV Funding, LLC its successors and assigns
assignee of CVF Consumer Acquisition
Company
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

LVNV Funding, LLC its successors and assigns
assignee of NCO Portfolio Management
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Liberty Mutual
Payment Processing Center-27
P.O. Box 55126
Boston, MA 02205-5126

MCI
PO Box 4600
Iowa City, IA 52244-4600

Midwest Finance
3210 Belaire Dr.
Midwest City, OK 73110-3900

Monte J. White & Associates, P.C.
402 Cypress, Suite 310
Abilene, TX 79601-5151

NCP Finance Limited Partnership
100 East Third Street, 5th Floor
Dayton, OH 45402-2119

National Credit Adjusters
PO Box 3023
Hutchinson, KS 67504-3023

National Payment Center
P.O. Box 105028
Atlanta, GA 30348-5028

Nationwide
P.O. Box 57329
Phoenix, AZ 85079-7329

Nco Fin -99
Po Box 15636
Wilmington, DE 19850-5636

Panhandle Plains
1303 23rd Street
Canyon, TX 79015-5321

Plains Commerce Bank
Po Box 89937
Sioux Falls, SD 57109-6937

(p) PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Premier Bankcard/Charter
P.O. Box 2208
Vacaville CA 95696-8208

Progressive Insurance Corporate Office
6300 Wilson Mills Road
Mayfield Village, OH 44143-2182

RPM
P.O. Box 4006
Bothell, WA 98041-4006

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Rjm Acq Llc
575 Underhill Blvd Suite 224
Syosset, NY 11791-3416

Robert C. DeLuca, DO
500 W. Plummer
Eastland, Texas 76448-2629

SFC-Central Bankruptcy
P.O. Box 1893
Spartanburg, S.C. 29304-1893

Security Fin
SFC Centralized Bankruptcy
PO Box 1893
Spartanburg, SC 29304-1893

Southwestern Bell Telephone Company
% AT&T Services Inc.
Karen A. Cavagnaro - Lead Paralegal
One AT&T Way, Room 3A218
Bedminster, NJ 07921-2693

State Tex Studen Ln 4
Po Box 12788
Austin, TX 78711-2788

SuddenLink
P.O. Box 78670
Phoenix, AZ 85062-8670

TEXAS HIGHER EDUCATION COORDINATING BOARD
P.O. BOX 12788
AUSTIN, TX 78711-2788

Texas Emergency Staffing Solution
P. O. Box 96118
Oklahoma City, Ok 73143-6118

Texas Guaranteed Student Loan Corp
POB 83100
Round Rock, TX 78683-3100

The Cash Store
1404 E. Main St.
Eastland, TX 76448-3023

Todd M. Pennartz
111 Sunset Blvd.
Breckenridge, TX 76424-4013

Trident Asset Manageme
5755 Northpoint Pkwy Ste
Alpharetta, GA 30022-1142

Tx Guar Std
TG-Attn. Bankruptcy Department
PO Box 659602
San Antonio, TX 78265-9602

U S Dept Of Ed-gsc-chi
Po Box 4222
Iowa City, IA 52244

U.S. Department of Education
PO Box 16448
St. Paul, MN 55116-0448

US Dept of Education
Claims Filing Unit
PO Box 8973
Madison, WI 53708-8973

United Healthcare
P.O. Box 30555
Salt Lake City, UT 84130-0555

Us Dept Of Ed-glelsi
2401 International
Madison, WI 53704-3121

Verichex
PO Box 3218
Abilene, TX 79604-3218

West Asset Managemen
2703 N Highway 75
Sherman, TX 75090-2567

West Central Tx Coll B
Po Box 2586
Abilene, TX 79604-2586

Western Shamrock
801 S. Abe St.
San Angelo, TX 76903-6735

Western Shamrock Corporation
Attention: Bankruptcy
801 S Abe St.
San Angelo, TX 76903-6735

Pamela Jean Chaney
Monte J. White & Associates, P.C.
American State Building
402 Cypress, Ste. 310
Abilene, TX 79601-5151

Walter 12,13 OCheskey
 6308 Iola Avenue
 Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Internal Revenue Service
 PO Box 21126
 Philadelphia, PA 19114

Portfolio Recovery Associates, LLC
 PO Box 12914
 Norfolk, VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Eastland City
 Lee Gordon
 P O Box 1269
 Round Rock, TX 78680-1269

(d)Eastland County
 Lee Gordon
 P O Box 1269
 Round Rock, TX 78680-1269

(d)Eastland ISD
 Lee Gordon
 P O Box 1269
 Round Rock, TX 78680-1269

(d)Kelly Ann Armstrong
 506 S. Daugherty
 Eastland, TX 76448-2613

End of Label Matrix
 Mailable recipients 90
 Bypassed recipients 4
 Total 94